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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/069,367	02/19/2002	Mauro Costa	Costa 7-7-4-6	8132

7590 03/08/2005

Docket Administrator RM 3C 512  
Lucent Technologies Inc  
600 Mountain Avenue  
PO Box 636  
Murray Hill, NJ 07974-0636

EXAMINER
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ZEWDU, MELESS NMN

ART UNIT	PAPER NUMBER
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2683

DATE MAILED: 03/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/069,367	COSTA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Meless N Zewdu	2683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 05 November 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1,2,4 and 5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4 and 5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. This action is in response to the communication filed on 11/05/04.
2. Claim 3 has been canceled in this amendment.
3. Claims 1, 2, 4 and 5 are pending in this action.
4. This action is final.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3 are rejected under 35 U.S.C. 102(e) as being anticipated by Persson et al. (6,052,589).

Regarding claim 1, Persson et al. discloses a packet switched network architecture having a first location area (LA11 fig. 9) supported by a first radio access network connected to a core network of a first functionality and a second location area (LA21 fig. 9) supported by a second radio access network connected to a core network

Art Unit: 2683

of a second functionality which is different from the first functionality (abstract, fig. 9, col. 17 lines 1-30), wherein at least a part of the first and second location areas overlap thereby defining a common location area (border between two networks) (fig. 9, col. 17 lines 1-30), and the dual mode mobile terminals in the first and second location areas each have either one or both of a first and a second mode of operation corresponding to the first and second functionalities respectively (dual mode mobile unit) (fig. 4-9, col. 10 lines 27-41), wherein a dual mode mobile terminal in the first location area being in the second mode of operation is connected by the first radio access network to the core network having the second functionality (fig. 4-9, col. 10 lines 27-41, and col. 17 lines 31-58), and wherein a dual mode mobile terminal in the second location area being in the first mode of operation is connected by the second radio access network to the core network having the first functionality (col. 2, line 17-col. Col. 2, line 16; col. 4, lines 41-61).

Regarding claim 2, Persson et al. further discloses the packet switched network of claim 1 wherein the core networks are separate (fig. 3, col. 19 lines 53-63).

Regarding claim 3, Persson et al. further discloses the packet switched network of claim 1 or claim 2 wherein mobile terminals in the second location area having the first mode of operation may be connected by the second radio access network to a core network having the first functionality (fig. 9 col. 17 lines 1-45).

Regarding claim 4, Persson discloses a packet switched network, wherein the first radio access network is connected to the core network having the second functionality, the first radio access network being operative to switch packet

transmissions from terminals in the location area to one of either the first or second core networks (see col. 2, lines 17-63, particularly clines 53-63). Different networks with different standards include different cores.

Regarding claim 5, Persson discloses a packet switched network, wherein the core network having the second functionality connected to with the first radio access network is connected to the second radio access network (see col. 2, lines 17-63, particularly clines 53-63; col. 10, lines 25-41). The service networks (with different standards and/or cores) are connected to a common/universal access radio network (see for instance, col. 2, lines 17-25).

### ***Response to Arguments***

Applicant's arguments filed 11/05/04 have been fully considered but they are not persuasive. Arguments by applicant and respective responses by examiner are shown below.

**Argument I:** with respect to claim 1, applicant argues by saying that claim 1 requires two core networks each having different functionality, and dual mode terminals to have either a first or second mode of operation corresponding to either the first or second core network functionality.

**Response I:** examiner respectfully disagrees with the argument for the following reasons. First, the prior art reference (Persson) discloses two service networks having different specified signaling standards. A core network for each of these two different

service networks with different standards must be an inherent feature. Second, Persson also discloses a dual mode mobile terminal which access the two service networks having two different standards. Hence, the argument is not persuasive.

**Argument II:** with regard to claim 1, applicant further argues by saying "by contrast, the terminals disclosed in Persson are dual mode only in relation to which radio interface is used to reach the core network.

**Response II:** again, examiner respectfully disagrees with the argument. The requirement for dual mode terminals is an indication of different cores (networks with different standards). Persson discloses a common/universal access network to two different service networks having two different standards, as oppose to a distributed/separate access networks, as argued by applicant. Consequently, examiner sees no patentable weight between distributed access networks, corresponding to different core networks, and a universal access corresponding to different core networks. Hence, the argument is not persuasive.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

Art Unit: 2683

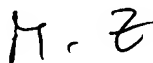
mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Meless N Zewdu whose telephone number is (703) 306-5418. The examiner can normally be reached on 8:30 am to 5:00 pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (703) 308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Meless Zewdu



Examiner



WILLIAM TROST  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

23 February 2005.